

**TUESDAY, MAY 29, 2001**

**FORTY-FOURTH LEGISLATIVE DAY**

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Chad Pinion, Union City, Tennessee.

Representative Pinion led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present.....99

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh – 99.

**PRESENT IN CHAMBER**

Representative(s) McDaniel and Tidwell was/were recorded as being present in the Chamber.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Resolution No. 83:** Rep(s). Arriola and Brown as prime sponsor(s).

**House Joint Resolution No. 131:** Rep(s). Davis (Washington) and Mumpower as prime sponsor(s).

**House Joint Resolution No. 477:** Rep(s). Caldwell as prime sponsor(s).

**House Joint Resolution No. 497:** Rep(s). Overbey as prime sponsor(s).

**House Joint Resolution No. 514:** Rep(s). Beavers as prime sponsor(s).

**House Bill No. 545:** Rep(s). Overbey as prime sponsor(s).

**House Bill No. 1548:** Rep(s). Kent and Cole (Carter) as prime sponsor(s).

**House Bill No. 1678:** Rep(s). Vincent as prime sponsor(s).

**MESSAGE FROM THE GOVERNOR  
May 25, 2001**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 180, 324, 333, 335, 341, 342, 343, 344, 346, 347, 348, 358, 359, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386 and 387, with his approval.

JAY BALLARD, Counsel to the Governor.

**REPORT OF CHIEF ENGROSSING CLERK  
May 25, 2001**

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 2001, 2011, 2012; also, House Joint Resolution(s) No(s). 158, 196, 375, 388, 390, 391, 392, 393, 394, 395, 396, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 426, 427, 428, 429, 430, 431 and 432.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE GOVERNOR  
May 29, 2001**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 180, with his approval.

JAY BALLARD, Counsel to the Governor.

**ENROLLED BILLS  
May 29, 2001**

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 492.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED  
May 29, 2001**

The Speaker signed the following: House Joint Resolution(s) No(s). 492.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE  
May 29, 2001**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 492; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK  
May 29, 2001**

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 492.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE  
May 29, 2001**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 378, 381, 382 and 384; all adopted for concurrence.

RUSSELL A. HUMPHREY, Chief Clerk.

**Senate Joint Resolution No. 378** -- Memorials, Recognition - Thomas N. Southard. by \*Person.

**Senate Joint Resolution No. 381** -- Memorials, Academic Achievement - Blake Campbell, graduation from Riverside High School. by \*Jackson.

**Senate Joint Resolution No. 382** -- Memorials, Retirement - Jim Travis, WSMV-TV Channel 4 Political Correspondent. by \*Jackson, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper J, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elses, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jackson, \*Kurita, \*Kyle, \*McNally, \*Miller J, \*Norris, \*Person, \*Ramsey, \*Rochelle, \*Trail, \*Wilder, \*Williams.

**Senate Joint Resolution No. 384** -- Memorials, Recognition - John Baker Garrott, Sr. by \*Graves.

**MESSAGE FROM THE SENATE**

**May 29, 2001**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 356, 357, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373 and 374; all adopted for concurrence.

RUSSELL A. HUMPHREY, Chief Clerk.

**Senate Joint Resolution No. 356** -- Memorials, Retirement - Dr. Douglas R. Noble, Director Pink Palace Family of Museums. by \*Dixon, \*Cohen.

**Senate Joint Resolution No. 357** -- Memorials, Congratulations - LaFollette Press. by \*McNally, \*Williams.

**Senate Joint Resolution No. 359** -- Memorials, Academic Achievement - Angela Marie Vu, Salutatorian, Treadwell High School. by \*Kyle.

**Senate Joint Resolution No. 360** -- Memorials, Academic Achievement - Reginald McCray, Valedictorian, Treadwell High School. by \*Kyle.

**Senate Joint Resolution No. 361** -- Memorials, Academic Achievement - Christopher Eric Paxton, Salutatorian, Craigmont High School. by \*Kyle.

**Senate Joint Resolution No. 362** -- Memorials, Academic Achievement - Mominah Usmani, Valedictorian, Craigmont High School. by \*Kyle.

**Senate Joint Resolution No. 363** -- Memorials, Academic Achievement - Barbara Gant, Salutatorian, Frayser High School. by \*Kyle.

**Senate Joint Resolution No. 364** -- Memorials, Academic Achievement - Monica Balon Harper, Valedictorian, Frayser High School. by \*Kyle.

**Senate Joint Resolution No. 365** -- Memorials, Death - Reverend John Allison. by \*Henry, \*Haynes.

**Senate Joint Resolution No. 366** -- Memorials, Recognition - Frist Center for Visual Arts. by \*Harper, \*Henry, \*Haynes, \*Graves, \*Williams.

**Senate Joint Resolution No. 367** -- Memorials, Professional Achievement - Ms. Cindy Catignani, Metropolitan Davidson County "Teacher of the Year". by \*Haynes, \*Haynes.

**Senate Joint Resolution No. 368** -- Memorials, Professional Achievement - Dr. Garry Duane Speich, pastor of Hermitage United Methodist Church. by \*Haynes, \*Haynes.

**Senate Joint Resolution No. 369** -- Memorials, Academic Achievement - Matthew Evers, Valedictorian, South Fulton High School. by \*Herron.

**Senate Joint Resolution No. 370** -- Memorials, Academic Achievement - Erin Renee Mathis, Valedictorian, Gleason High School. by \*Herron.

**Senate Joint Resolution No. 371** -- Memorials, Academic Achievement - Tonya Renee Doster, Salutatorian, Gleason High School. by \*Herron.

**Senate Joint Resolution No. 372** -- Memorials, Academic Achievement - Robert E. Lee Gordon, III, Salutatorian, South Fulton High School. by \*Herron.

**Senate Joint Resolution No. 373** -- Memorials, Academic Achievement - Ashley Owens, Valedictorian, South Fulton High School. by \*Herron.

**Senate Joint Resolution No. 374** -- Memorials, Death - William Guy Button. by \*Herron.

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for May 31, 2001:

**Senate Joint Resolution No. 356** -- Memorials, Retirement - Dr. Douglas R. Noble, Director Pink Palace Family of Museums. by \*Dixon, \*Cohen.

**Senate Joint Resolution No. 357** -- Memorials, Congratulations - LaFollette Press. by \*McNally, \*Williams.

**Senate Joint Resolution No. 359** -- Memorials, Academic Achievement - Angela Marie Vu, Salutatorian, Treadwell High School. by \*Kyle.

**Senate Joint Resolution No. 360** -- Memorials, Academic Achievement - Reginald McCray, Valedictorian, Treadwell High School. by \*Kyle.

**Senate Joint Resolution No. 361** -- Memorials, Academic Achievement - Christopher Eric Paxton, Salutatorian, Craigmont High School. by \*Kyle.

**Senate Joint Resolution No. 362** -- Memorials, Academic Achievement - Mominah Usmani, Valedictorian, Craigmont High School. by \*Kyle.

**Senate Joint Resolution No. 363** -- Memorials, Academic Achievement - Barbara Gant, Salutatorian, Frayser High School. by \*Kyle.

**Senate Joint Resolution No. 364** -- Memorials, Academic Achievement - Monica Balon Harper, Valedictorian, Frayser High School. by \*Kyle.

**Senate Joint Resolution No. 365** -- Memorials, Death - Reverend John Allison. by \*Henry, \*Haynes.

**Senate Joint Resolution No. 366** -- Memorials, Recognition - Frist Center for Visual Arts. by \*Harper, \*Henry, \*Haynes, \*Graves, \*Williams.

**Senate Joint Resolution No. 367** -- Memorials, Professional Achievement - Ms. Cindy Catignani, Metropolitan Davidson County "Teacher of the Year". by \*Haynes, \*Haynes.

## **TUESDAY, MAY 29, 2001 – FORTY-FOURTH LEGISLATIVE DAY**

**Senate Joint Resolution No. 368** -- Memorials, Professional Achievement - Dr. Garry Duane Speich, pastor of Hermitage United Methodist Church. by \*Haynes, \*Haynes.

**Senate Joint Resolution No. 369** -- Memorials, Academic Achievement - Matthew Evers, Valedictorian, South Fulton High School. by \*Herron.

**Senate Joint Resolution No. 370** -- Memorials, Academic Achievement - Erin Renee Mathis, Valedictorian, Gleason High School. by \*Herron.

**Senate Joint Resolution No. 371** -- Memorials, Academic Achievement - Tonya Renee Doster, Salutatorian, Gleason High School. by \*Herron.

**Senate Joint Resolution No. 372** -- Memorials, Academic Achievement - Robert E. Lee Gordon, III, Salutatorian, South Fulton High School. by \*Herron.

**Senate Joint Resolution No. 373** -- Memorials, Academic Achievement - Ashley Owens, Valedictorian, South Fulton High School. by \*Herron.

**Senate Joint Resolution No. 374** -- Memorials, Death - William Guy Button. by \*Herron.

**Senate Joint Resolution No. 381** -- Memorials, Academic Achievement - Blake Campbell, graduation from Riverside High School. by \*Jackson.

**Senate Joint Resolution No. 382** -- Memorials, Retirement - Jim Travis, WSMV-TV Channel 4 Political Correspondent. by \*Jackson, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper J, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jackson, \*Kurita, \*Kyle, \*McNally, \*Miller J, \*Norris, \*Person, \*Ramsey, \*Rochelle, \*Trail, \*Wilder, \*Williams.

### **RESOLUTIONS LYING OVER**

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

**Senate Joint Resolution No. 355** -- Naming and Designating - Designates September 16-22, 2001, as "Accounting Week in Tennessee.". by \*Crowe, \*Williams, \*McNally.

House Finance, Ways and Means Committee

### **INTRODUCTION OF BILLS**

On motion, the following bills were introduced and passed first consideration:

**House Bill No. 2023** -- Fayette County - Authorizes levy of fire protection fee in lieu of fire tax authorized pursuant to Section 5-17-106. Amends TCA Title 5, Chapter 17, Part 1. by \*Fitzhugh, \*Naifeh.

**House Bill No. 2024** -- Fayette County - Subject to local approval, authorizes imposition of adequate facilities tax. by \*Fitzhugh, \*Naifeh.

**SENATE BILLS TRANSMITTED**

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**Senate Bill No. 824** -- Tennessee Wildlife Resources Agency - Removes resident license and permit fees for all citizens 65 years of age or older under Title 70, including hunting, fishing, trapping, sportsman, and supplemental licenses (big game, trout), including at premier resorts and in wildlife management areas. Amends TCA Title 70, Chapter 2. by \*McNally, \*Burks. (\*HB559 by \*Boyer)

**Senate Bill No. 1682** -- Probation and Parole - Enacts "Interstate Compact for Supervision of Adult Offenders." Amends TCA 40-28-401 through 40-28-409. by \*Fowler, \*Clabough. (\*HB1404 by \*Todd, \*McDaniel, \*Hargett)

**HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 2022** -- Humboldt -- Local Bill Held on House Desk

**CAPTION BILLS REFERRED  
May 25, 2001**

Pursuant to **Rule No. 47**, the following Caption Bill(s), 648 held on the Clerk's desk were referred to the following Committee(s):

**House Bill No. 648** -- Flea Markets, Antiques and Used Goods -- House Finance, Ways and Means Committee

**CONSENT CALENDAR**

**House Resolution No. 131** -- Memorials, Professional Achievement - Mike Forrester, Child Advocacy Award. by \*Godsey.

**House Resolution No. 132** -- Memorials, Retirement - Sam Bratton. by \*Boyer, \*Buttry.

**House Resolution No. 133** -- Memorials, Personal Achievement - Maurice Sanders. by \*Head, \*McMillan.

**House Joint Resolution No. 475** -- Memorials, Interns - Phillip Patterson. by \*Sharp.

**House Joint Resolution No. 476** -- Memorials, Academic Achievement - Lorraine Elisabeth Ward, Co-Valedictorian, Midway High School. by \*Ferguson.

**TUESDAY, MAY 29, 2001 – FORTY-FOURTH LEGISLATIVE DAY**

**House Joint Resolution No. 477** -- Memorials, Academic Achievement - Katherine Dungan, Valedictorian, Roane County High School. by \*Ferguson.

**House Joint Resolution No. 478** -- Memorials, Academic Achievement - Jesse Richmond, Valedictorian, Roane County High School. by \*Ferguson.

**House Joint Resolution No. 479** -- Memorials, Academic Achievement - Richard Brooksbank, Valedictorian, Roane County High School. by \*Ferguson.

**House Joint Resolution No. 480** -- Memorials, Academic Achievement - Jimmie Whittenbarger, Salutatorian, Roane County High School. by \*Ferguson.

**House Joint Resolution No. 481** -- Memorials, Academic Achievement - Amanda Michelle Hanks, Salutatorian, Midway High School. by \*Ferguson.

**House Joint Resolution No. 482** -- Memorials, Academic Achievement - Isaiah Austin Ruffner, Co-Valedictorian, Midway High School. by \*Ferguson.

**House Joint Resolution No. 483** -- Memorials, Academic Achievement - Jessica Hunt, Salutatorian, Roane County High School. by \*Ferguson.

**House Joint Resolution No. 484** -- Memorials, Interns - Heather R. Tanner. by \*Todd, \*Scroggs.

**House Joint Resolution No. 485** -- Memorials, Retirement - Robert M. Mehlhorn. by \*Winningham.

**House Joint Resolution No. 486** -- Memorials, Academic Achievement - Breenen M. Milam, Valedictorian, Maryville Christian School. by \*Overbey, \*McCord.

**House Joint Resolution No. 487** -- Memorials, Academic Achievement - Laura Knowe, Salutatorian, Maryville Christian School. by \*Overbey, \*McCord.

**House Joint Resolution No. 488** -- Memorials, Recognition - Mayor Stephen T. West of Maryville, Academic Letters Awards honoree and inductee for Maryville-Alcoa Daily Times Wall of Fame. by \*Overbey, \*McCord.

**House Joint Resolution No. 489** -- Memorials, Recognition - Galen W. Johnson, Jr., Maryville-Alcoa Daily Times Wall of Fame. by \*Overbey, \*McCord.

**House Joint Resolution No. 490** -- Memorials, Public Service - Richard Williams Jr., Blount County Commissioner, Daily Times Alumni Wall of Fame. by \*Overbey, \*McCord.

**House Joint Resolution No. 491** -- Memorials, Recognition - Carolyn DeLozier Forster. by \*Overbey, \*McCord.

**House Joint Resolution No. 494** -- Memorials, Interns - Elizabeth Ann Johnstone. by \*Davidson.

**House Joint Resolution No. 495** -- Memorials, Interns - Allison Alicia Andraza. by \*Davidson.



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**\*House Bill No. 1987** -- Blount County - Authorizes any municipality in Blount County to engage in conditional or contract zoning by ordinance enacted by two-thirds vote of municipal legislative body where agreed conditions are designed to ameliorate injuries created by rezoning to surrounding property interests or to municipal interests. Amends TCA Section 13-7-201. by \*Overbey, \*McCord. (SB1978 by \*Clabough)

**House Bill No. 1616** -- Sunset Laws - State building commission, June 30, 2007. Amends TCA Title 4, Chapter 15 and Title 4, Chapter 29. by \*Kernell, \*Brooks, \*Cooper B. (\*SB53 by \*Harper)

On motion, House Bill No. 1616 was made to conform with **Senate Bill No. 53**; the Senate Bill was substituted for the House Bill.

**House Bill No. 2017** -- Jackson - Subject to local approval, creates Jackson Energy Authority. Amends Chapter 407 of the Acts of 1909. by \*Kisber, \*Shaw. (SB1982 by \*Carter)

**\*Senate Joint Resolution No. 134** -- General Assembly, Directed Studies - Directs department of economic and community development to study wireless telecommunication service coverage in rural and other low-population areas. by \*Cooper J, \*Kurita.

**\*Senate Joint Resolution No. 155** -- Memorials, Government Officials - Urges state insurance committee to make available long-term care insurance as voluntary group plan for state employees and retirees on or before January 1, 2002. by \*Rochelle, \*Elsea, \*Atchley, \*Wilder, \*Jackson, \*Crutchfield, \*Henry, \*Trail, \*Crowe, \*Dixon, \*Davis L, \*Haynes, \*Haun, \*Carter, \*Person, \*Miller J, \*Burchett, \*Fowler, \*McNally, \*Blackburn, \*Ramsey, \*Harper, \*Graves, \*Cooper J, \*Williams, \*Clabough, \*Herron, \*Burks, \*Ford J, \*Cohen, \*Kurita, \*Kyle, \*Norris.

**Senate Joint Resolution No. 354** -- Memorials, Death - Ann Campion Beneke. by \*Cohen.

**Senate Joint Resolution No. 377** -- Memorials, Academic Achievement - 2001 Nissan Neighbors Good Citizen Scholarship recipients. by \*Trail, \*Cooper J, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jackson, \*Kurita, \*Kyle, \*McNally, \*Miller J, \*Norris, \*Person, \*Ramsey, \*Rochelle, \*Trail, \*Wilder, \*Williams.

**Senate Joint Resolution No. 343** -- Memorials, Academic Achievement - Emily Elizabeth Roettger, Valedictorian, Wartburg Central High School. by \*Davis L.

**Senate Joint Resolution No. 345** -- Memorials, Academic Achievement - Kevin Lee Peddicord, Valedictorian, Wartburg Central High School. by \*Davis L.

**Senate Joint Resolution No. 346** -- Memorials, Personal Occasion - Joseph Wilson "Doc" and Catherine Murphy Bradley, fiftieth wedding anniversary. by \*Cooper J.

**Senate Joint Resolution No. 347** -- Memorials, Interns - Erin M. Gonzalez. by \*Cooper J, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper J, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jackson, \*Kurita, \*Kyle, \*McNally, \*Miller J, \*Norris, \*Person, \*Ramsey, \*Rochelle, \*Trail, \*Wilder, \*Williams.

**Senate Joint Resolution No. 351** -- Memorials, Interns - Neil Kerr. by \*Harper, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper J, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jackson, \*Kurita, \*Kyle, \*McNally, \*Miller J, \*Norris, \*Person, \*Ramsey, \*Rochelle, \*Trail, \*Wilder, \*Williams.

**Senate Joint Resolution No. 352** -- Memorials, Interns - Shane Jervis. by \*Haun, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper J, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jackson, \*Kurita, \*Kyle, \*McNally, \*Miller J, \*Norris, \*Person, \*Ramsey, \*Rochelle, \*Trail, \*Wilder, \*Williams.

**Senate Joint Resolution No. 353** -- Memorials, Academic Achievement - Bryan Watson, Valedictorian, Gordonsville High School. by \*Rochelle.

#### OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

**House Bill No. 2017:** by Rep. Hargrove

Under the rules, House Bill(s) No(s). 2017 was/were placed at the foot of the calendar for May 31, 2001.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes .....99  
Noes .....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

### REGULAR CALENDAR

**House Bill No. 875** -- Insurance, Health, Accident - Enacts "Access to Health Carriers' Payment Policies, Rules and Fee Schedules Act." Amends TCA Title 56. by \*Kisber, \*Jones, S.. (\*SB333 by \*Clabough)

Further consideration of House Bill No. 875 previously considered on May 10, 2001, May 14, 2001, May 16, 2001, May 17, 2001 and May 21, 2001, at which time it was reset for today's Calendar.

Rep. Kisber moved that House Bill No. 875 be reset for the Regular Calendar on July 12, 2001, which motion prevailed.

**House Bill No. 1749** -- Firearms and Ammunition - Requires TBI to deny attempted purchase of firearm if purchaser is charged with offense that, if convicted, would prohibit person from purchasing firearm and provides procedure whereby TBI is required to reverse such denial. Amends TCA Title 39, Chapter 17, Part 13. by \*Turner (Hamilton). (\*SB1728 by \*Crowe)

Further consideration of House Bill No. 1749 previously considered on May 16, 2001 and May 21, 2001, at which time it was reset for today's Calendar.

On motion, House Bill No. 1749 was moved to the heel of the Calendar.

**House Bill No. 817** -- Tort Liability - Confers civil and criminal immunity upon persons in occupational classifications that are required to report suspected child abuse and confers civil and criminal immunity on others reporting child abuse if reported in good faith and reporter is not perpetrator of abuse. Amends TCA Title 37, Chapter 1, Part 4. by \*McMillan, \*Caldwell, \*Buttry, \*Newton, \*Windle, \*Pruitt, \*Fowlkes, \*Briley, \*Sands, \*Jones, S., \*Arriola, \*Odom, \*Brown, \*Langster. (\*SB983 by \*Haynes, \*Person, \*Jackson, \*Dixon, \*Burks)

On motion, House Bill No. 817 was made to conform with **Senate Bill No. 983**; the Senate Bill was substituted for the House Bill.

Rep. McMillan moved that Senate Bill No. 983 be passed on third and final consideration.

On motion, Rep. Chumney withdrew House Children and Family Affairs Committee Amendment No. 1.

Rep. McMillan moved that **Senate Bill No. 983** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	0

**TUESDAY, MAY 29, 2001 – FORTY-FOURTH LEGISLATIVE DAY**

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**House Bill No. 1328** -- Uniform Laws - Enacts "Revised Uniform Partnership Act of 2001." Amends TCA 61-1-148 and repeals TCA Sections 61-1-101 to 61-1-142. by \*McMillan. (\*SB1276 by \*Jackson)

On motion, House Bill No. 1328 was made to conform with **Senate Bill No. 1276**; the Senate Bill was substituted for the House Bill.

Rep. McMillan moved that Senate Bill No. 1276 be passed on third and final consideration.

On motion, Rep. McMillan withdrew House Judiciary Committee Amendment No. 1.

Rep. McMillan moved that **Senate Bill No. 1276** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....97  
Noes .....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**TUESDAY, MAY 29, 2001 – FORTY-FOURTH LEGISLATIVE DAY**

**House Bill No. 1326** -- Insurance Companies, Agents, Brokers, Policies - Establishes civil and criminal penalties for insurance fraud. Amends TCA Section 39-14-133 and Title 56, by \*McMillan. (\*SB1499 by \*Rochelle)

On motion, House Bill No. 1326 was made to conform with **Senate Bill No. 1499**; the Senate Bill was substituted for the House Bill.

Rep. McMillan moved that Senate Bill No. 1499 be passed on third and final consideration.

On motion, Rep. McMillan withdrew House Judiciary Committee Amendment No. 1.

Rep. McMillan moved that **Senate Bill No. 1499** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	96
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Shelby), Turner (Davidson), Vincent, Walker, West, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**Senate Bill No. 1672** -- Labor - Classifies child labor law violations in regard to minor under age 14 and youth peddling as Class D felonies; authorizes fine of \$1,000 to \$10,000 for hiring minor under 14; removes baptismal certificate as proof of age for minor in employment. by \*Clabough, \*Atchley. (\*HB1395 by \*Baird, \*McDaniel)

Further consideration of Senate Bill No. 1672 previously considered on May 17, 2001 and May 23, 2001, at which time the Senate Bill was substituted for the House Bill, the House adopted Amendment(s) No(s). 1, withdrew Amendment(s) No(s). 2 and reset the bill for today's Calendar.

Rep. Baird moved that Senate Bill No. 1672 be reset for the Regular Calendar on May 31, 2001, which motion prevailed.

**House Bill No. 1173** -- Historical Sites and Preservation - Transfers jurisdiction and control of Chucalissa Indian Village and Museum from University of Memphis to department of environment and conservation. by \*Cooper B, \*Turner (Shelby), \*Shaw, \*Bowers, \*Armstrong, \*Jones U (Shelby), \*Miller L, \*Langster, \*DeBerry L. (\*SB1543 by \*Dixon)

On motion, House Bill No. 1173 was made to conform with **Senate Bill No. 1543**; the Senate Bill was substituted for the House Bill.

Rep. Cooper moved that Senate Bill No. 1543 be passed on third and final consideration.

On motion, Rep. Garrett withdrew Conservation and Environment Committee Amendment No. 1.

Rep. Cooper moved that **Senate Bill No. 1543** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....97  
Noes .....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**\*House Bill No. 69** -- Mental Illness - Decreases from ten to five days time in which court hospitalizing patient in mental health facility must be notified if such patient dies. Amends TCA Title 33. by \*Buck, \*Odom. (SB569 by \*Crutchfield)

On motion, House Bill No. 69 was made to conform with **Senate Bill No. 569**; the Senate Bill was substituted for the House Bill.

Rep. Buck moved that Senate Bill No. 569 be passed on third and final consideration.

On motion, Rep. McMillan withdrew House Judiciary Committee Amendment No. 1.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 2 as follows:

**Amendment No. 2**

AMEND Senate Bill No. 569 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION 2. Notwithstanding any provision of law to the contrary, any increased costs resulting from this act in fiscal year 2001-2002 shall be paid from funds in the indigent defendants' counsel fund.

On motion, Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 2 was adopted.

Rep. Buck moved that **Senate Bill No. 569**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....97  
Noes .....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**\*House Bill No. 349** -- Clerks, Court - Increases from \$40.00 to \$50.00 fee clerk may charge for expunging defendant's record upon dismissal of charges following defendant's completion of pre-trial or post-plea diversion. Amends TCA Title 6; Title 8; Title 16; Title 20; Title 36; Title 39; Title 40 and Title 67, by \*Buck. (SB1378 by \*Jackson)

On motion, House Bill No. 349 was made to conform with **Senate Bill No. 1378**; the Senate Bill was substituted for the House Bill.

Rep. Buck moved that Senate Bill No. 1378 be passed on third and final consideration.

On motion, Rep. McMillan withdrew House Judiciary Committee Amendment No. 1.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 2 as follows:

**Amendment No. 2**

AMEND Senate Bill No. 1378 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION 3. Notwithstanding any provision of law to the contrary, any increased costs resulting from this act in fiscal year 2001-2002 shall be paid from funds in the indigent defendants' counsel fund.

On motion, Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 2 was adopted.

Rep. Buck moved that **Senate Bill No. 1378**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	0
Present and not voting .....	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

Representatives present and not voting were: Towns -- 1.

A motion to reconsider was tabled.

**House Bill No. 895** -- Courts, Juvenile - Increases, for cases involving indigent children, amount of compensation that may be paid for services of guardian ad litem and attorney. Amends TCA Section 37-1-150. by \*Buck. (\*SB1437 by \*Person)

Rep. Buck moved that House Bill No. 895 be passed on third and final consideration.



**TUESDAY, MAY 29, 2001 – FORTY-FOURTH LEGISLATIVE DAY**

Rep. McMillan moved adoption of House Judiciary Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 895 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 37-1-150 is amended by deleting the following language from subdivision (a)(3):

"No compensation ordered to be paid shall exceed the maximum amount of one hundred dollars (\$100) per day of hearing, with a maximum total compensation for all days of five hundred dollars (\$500) as allowed by subsection (e) for attorneys appointed to represent juveniles accused of being delinquent."

SECTION 2. Tennessee Code Annotated, Section 37-1-150 is further amended by deleting the following language from subdivision (e)(3):

"No allowance of compensation to all attorneys in any case shall, however, exceed one hundred dollars (\$100) for each day of hearing, with a maximum compensation for any one (1) proceeding of five hundred dollars (\$500)."

SECTION 3. This act shall take effect on becoming a law, the public welfare requiring it.

On motion, House Judiciary Committee Amendment No. 1 was adopted.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 2 as follows:

**Amendment No. 2**

AMEND House Bill No. 895 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION 3. Notwithstanding any provision of law to the contrary, any increased costs resulting from this act in fiscal year 2001-2002 shall be paid from funds in the guardian ad litem fund.

On motion, Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 2 was adopted.

Rep. Buck moved that **House Bill No. 895**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	0
Present and not voting .....	1

**TUESDAY, MAY 29, 2001 – FORTY-FOURTH LEGISLATIVE DAY**

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

Representatives present and not voting were: Towns -- 1.

A motion to reconsider was tabled.

**Senate Bill No. 871** -- Abuse - Creates pilot in county of over 825,000 population to establish child protective system ; requires department of mental health and developmental disabilities to establish pilot mental health court. Amends TCA Title 9; Title 33 and Title 37. by \*Dixon. (\*HB583 by \*Chumney)

Further consideration of Senate Bill No. 871 previously considered on May 23, 2001, at which time the Senate Bill was substituted for the House Bill, the House withdrew Amendment(s) No(s). 1 and reset the bill for today's Calendar.

Rep. Chumney moved that Senate Bill No. 871 be passed on third and final consideration.

Rep. L. DeBerry requested that Senate Bill No. 871 be moved to the heel of the Calendar.

**House Bill No. 1678** -- Gambling - Redefines criminal offense of gambling to clarify that any form of casino gambling is prohibited; clarifies that lotteries do not include electronic or electromechanical forms of casino gambling. Amends TCA Title 39, Chapter 17, Part 5. by \*Maddox, \*McDaniel, \*Fitzhugh, \*Boyer, \*Ridgeway, \*Shepard, \*Pinion, \*Roach, \*McKee, \*Briley. (\*SB1717 by \*McNally, \*Herron)

Further consideration of House Bill No. 1678 previously considered on April 23, 2001, May 16, 2001, May 23, 2001 and May 24, 2001. The bill was also considered on May 3, 2001, at which time the House adopted Amendment(s) No(s). 1 and withdrew Amendment(s) No(s). 2 and 3; and it was also considered on May 10, 2001, at which time the House placed Amendment(s) No(s). 4 at the heel of the Amendments.

Rep. Maddox moved that House Bill No. 1678, as amended, be passed on third and final consideration.

Rep. Miller requested that Amendment No. 5 be placed at the heel of the Amendments.

Rep. Miller requested that Amendment No. 6 be placed at the heel of the Amendments.

Rep. Miller requested that Amendment No. 7 be placed at the heel of the Amendments.

Rep. Miller requested that Amendment No. 8 be placed at the heel of the Amendments.

Rep. Miller requested that Amendment No. 9 be placed at the heel of the Amendments.

Rep. Miller requested that Amendment No. 10 be placed at the heel of the Amendments.

Rep. Miller requested that Amendment No. 11 be placed at the heel of the Amendments.

Rep. Miller requested that Amendment No. 12 be placed at the heel of the Amendments.

Rep. Miller requested that Amendment No. 13 be placed at the heel of the Amendments.

Rep. Miller requested that Amendment No. 14 be placed at the heel of the Amendments.

Rep. Miller requested that Amendment No. 16 be placed at the heel of the Amendments.

Rep. Bowers requested that Amendment No. 15 be placed at the heel of the Amendments.

Rep. Bunch requested that Amendment No. 17 be placed at the heel of the Amendments.

Rep. U. Jones moved that Amendment No. 18 be withdrawn, which motion was immediately withdrawn.

Rep. U. Jones moved adoption of Amendment No. 18 as follows:

**Amendment No. 18**

AMEND House Bill No. 1678 by adding the following as new sections to precede the effective date section:

SECTION \_\_\_\_\_. (a) Upon enactment, a county or municipal legislative body that has previously approved by referendum racing with pari-mutuel wagering shall be permitted in that county or municipality by resolution or ordinance to call a referendum on whether casinos and casino gambling shall be permitted in that county or municipality. Upon approval by the county or municipal legislative body, the county election commission shall call a referendum at the next regularly scheduled county-wide or municipality-wide general election on the question of whether casinos and casino gambling shall be permitted in that county or municipality. The question to be placed on the ballot shall read as follows:

Shall (here insert name of county or municipality) permit casinos and casino gambling?

FOR \_\_\_\_ AGAINST \_\_\_\_

(b) As an alternative to a county or municipality by resolution or ordinance calling a referendum, a petition signed by the residents of a county or municipality, as the case may be, equal to or exceeding a number amounting to ten percent (10%) of the votes cast for sheriff at the last preceding August general election shall require the county election commission to place the question stated in subsection (a) on the ballot at the next regularly scheduled election. No referendum under this act may be placed on the same ballot or conducted on the same day of a primary election. Such petition shall be addressed to the county election commission of such county, or county in which such municipality is located, and shall read, except for such address, substantially as follows:

"We, registered voters of (here insert name of county or municipality, as the case may be), hereby request the holding of a referendum on the question of whether casinos and casino gambling shall be permitted in this county?"

Such petition may be in two (2) or more parts.

(c) If a county or municipality conducts a referendum under the provisions of this section and the number of qualified votes cast negative to the casino proposition exceeds sixty percent (60%) of the total number of votes cast in the election, no further proposition relative to casino shall be placed on the ballot in that locality for a period of three (3) years from the date of the previous election.

SECTION \_\_\_\_\_. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

Rep. Miller moved the previous question on Amendment No. 18, which motion prevailed.

Rep. U. Jones moved adoption of Amendment No. 18 which motion failed by the following vote:

Ayes .....	18
Noes .....	71
Present and not voting .....	1

Representatives voting aye were: Armstrong, Arriola, Bowers, Brooks, Brown, Cooper, Jones S, Jones U, Langster, Maddox, Miller, Pruitt, Shaw, Towns, Turner (Shelby), Turner (Davidson), Williams, Mr. Speaker Naifeh -- 18.

Representatives voting no were: Baird, Beavers, Black, Bone, Boyer, Briley, Buck, Bunch, Buttry, Caldwell, Clem, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry L. Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Hood, Johnson, Kent, Lewis, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Overbey, Patton, Phelan, Phillips, Pinion, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shepard, Stanley, Tidwell, Tindell, Todd, Vincent, Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood -- 71.

Representatives present and not voting were: Kisber -- 1.

A motion to reconsider was tabled.

Rep. Miller moved adoption of Amendment No. 5 as follows:

**Amendment No. 5**

AMEND House Bill No. 1678 by deleting the effective date section and by substituting instead the following sections:

SECTION \_\_\_\_\_. If any provision of this act or the application thereof to any person or circumstance is held invalid, then all provisions and applications of this act are declared to be invalid and void.

SECTION \_\_\_\_\_. Notwithstanding the provisions of any law to the contrary, this act shall have no effect unless it is approved by a majority of the number of qualified voters of the state voting in an election on the question of whether or not the act should be approved. The ballots used in the general election to be held in November 2002 shall have printed on them the substance of this act and the voters shall vote for or against its approval. The votes cast on the question shall be canvassed and the results proclaimed by the state election coordinator and certified by him to the secretary of state as provided by law in the case of general elections. The qualifications of voters voting on the question shall be the same as those required for participation in general elections. All laws applicable to general elections shall apply to the determination of the approval or rejection of this act. The cost of the election shall be paid by the state.

SECTION \_\_\_\_\_. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, but for all other purposes the provisions of the act shall be effective only upon being approved by the voters of the state as provided in the preceding section.

Rep. Miller moved that House Bill No. 1678 be reset for the Regular Calendar on June 4, 2001, which motion failed.

Rep. Miller moved adoption of Amendment No. 5 which motion failed by the following vote:

Ayes .....18  
Noes .....71

## TUESDAY, MAY 29, 2001 – FORTY-FOURTH LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Bowers, Brooks, Brown, Chumney, Cooper, DeBerry L., Jones U, Langster, Miller, Phelan, Pruitt, Shaw, Towns, Walker, Williams, Mr. Speaker Naifeh -- 18.

Representatives voting no were: Baird, Beavers, Black, Bone, Boyer, Briley, Buck, Bunch, Buttry, Caldwell, Clem, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Hood, Johnson, Kent, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Odom, Overbey, Patton, Phillips, Pinion, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shepard, Stanley, Tidwell, Tindell, Todd, Turner (Davidson), Vincent, West, Westmoreland, White, Whitson, Windle, Winningham, Wood -- 71.

A motion to reconsider was tabled.

Rep. Miller moved that Amendment No. 6 be withdrawn, which motion prevailed.

Rep. Miller moved that Amendment No. 7 be withdrawn, which motion prevailed.

Rep. Miller moved that Amendment No. 8 be withdrawn, which motion prevailed.

Rep. Miller moved that Amendment No. 9 be withdrawn, which motion prevailed.

Rep. Miller moved that Amendment No. 10 be withdrawn, which motion prevailed.

Rep. Miller moved that Amendment No. 11 be withdrawn, which motion prevailed.

Rep. Miller moved that Amendment No. 12 be withdrawn, which motion prevailed.

Rep. Miller moved that Amendment No. 13 be withdrawn, which motion prevailed.

Rep. Miller moved that Amendment No. 14 be withdrawn, which motion prevailed.

Rep. Bowers moved adoption of Amendment No. 15 as follows:

### **Amendment No. 15**

AMEND House Bill No. 1678 by adding the following new sections immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. The provisions of this act shall not apply in any county having a population of not less than eight hundred ninety-seven thousand four hundred (897,400) according to the 2000 federal census or any subsequent federal census.

Section \_\_\_\_\_. If any provision of this act or the application thereof to any person or circumstance is held invalid, then all provisions and applications of this act are declared to be invalid and void.

Rep. Towns moved that House Bill No. 1678 be reset for the Regular Calendar on June 4, 2001, which motion prevailed.

**Senate Bill No. 774** -- Children - Establishes procedure for parents to surrender unwanted infants to hospital or emergency care provider; ensures immunity from criminal prosecution to parents acting in accord with this act; establishes community and school education program regarding child-care, pregnancy, and services available for parents Amends TCA Section 34-11-103; Title 36; Section 63-6-218 and Title 68, by \*Harper, \*Kyle, \*Clabough, \*Williams, (\*HB474 by \*Maddox, \*Boyer, \*McCord, \*Bunch, \*Overbey, \*Jones, S., \*Pruitt, \*Black, \*Langster, \*Brooks)

Further consideration of Senate Bill No. 774 previously considered on May 24, 2001, at which time the Senate Bill was substituted for the House Bill, Amendment(s) No(s). 1 was withdrawn, Amendment(s) No(s). 2 was adopted and the bill was reset for today's Calendar.

Rep. Maddox moved that Senate Bill No. 774, as amended, be passed on third and final consideration.

Rep. Turner (Hamilton) moved adoption of Amendment No. 3 as follows:

**Amendment No. 3**

AMEND Senate Bill No. 774 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title, 68, Chapter 11, Part 2, is amended by adding the following as a new, appropriately designated section:

§ 68-11-255. The department of health, in conjunction with the department of children's services and the department of education, shall establish, promote and administer a comprehensive program to raise public awareness of the incidents of infant abandonment and to provide information and intervention services for parents of unwanted, unborn infants and newborn infants. At a minimum, the program must provide the following services:

- (a) An outreach campaign utilizing print, radio, and television public service announcements, advertisements, posters and other materials;
- (b) Educational seminars in community forums;
- (c) Information on adoption and foster care programs;
- (d) Assessing and targeting at-risk populations;
- (e) Providing reliable information to policymakers;
- (f) Ensuring that members of the professional medical community and emergency medical services providers are clearly designated and publicly known as safe havens for temporarily surrendering newborn infants;

(g) Distributing information through county health departments, schools, churches, physicians, health maintenance organizations, emergency medical services providers, women's groups, nonprofit organizations, community health organizations, community-based organizations and departmental regional offices;

(h) Incorporating into the elementary and secondary school health education curriculum for grades seven (7) through twelve (12), information on teen pregnancy prevention, prenatal counseling, health services, adoption, foster care, family planning services and the provisions of this act;

(i) Adoption counseling services for the parents of unwanted, unborn and newborn infants; and

(j) Any additional services the department of health or the department of children's services deems necessary to effectuate the purposes of the program.

SECTION 2. This act shall take effect on July 1, 2001, the public welfare requiring it.

Rep. Maddox moved that Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes .....	65
Noes .....	29

Representatives voting aye were: Baird, Beavers, Bittle, Black, Bone, Boyer, Buck, Bunch, Buttry, Caldwell, Clem, Cole (Carter), Cole (Dyer), Curtiss, Davis (Washington), Davis (Cocke), Dunn, Fitzhugh, Ford, Fraley, Garrett, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Shepard, Stanley, Tidwell, Tindell, Todd, Turner (Davidson), Vincent, West, Westmoreland, White, Whitson, Williams, Winningham, Mr. Speaker Naifeh -- 65.

Representatives voting no were: Armstrong, Arriola, Bowers, Brooks, Brown, Cooper, Davidson, DeBerry J, DeBerry L, Ferguson, Fowlkes, Givens, Jones S, Jones U, Kent, Langster, Lewis, Miller, Odom, Pleasant, Pruitt, Scroggs, Sharp, Towns, Turner (Hamilton), Turner (Shelby), Walker, Windle, Wood -- 29.

Rep. Goins moved the previous question, which motion failed by the following vote:

Ayes .....	58
Noes .....	31



## TUESDAY, MAY 29, 2001 – FORTY-FOURTH LEGISLATIVE DAY

Representatives voting aye were: Baird, Beavers, Bittle, Black, Bone, Boyer, Buck, Bunch, Buttry, Cole (Carter), Cole (Dyer), Curtiss, Davis (Washington), Davis (Cocke), Fitzhugh, Ford, Fowlkes, Godsey, Goins, Harwell, Head, Hood, Johnson, Jones S, Kent, Kisber, Langster, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sargent, Sharp, Shepard, Stanley, Tindell, Todd, Turner (Davidson), Vincent, West, Westmoreland, Whitson, Mr. Speaker Naifeh -- 58.

Representatives voting no were: Armstrong, Arriola, Bowers, Brown, Chumney, Clem, Cooper, Davidson, DeBerry J, DeBerry L, Dunn, Ferguson, Fraley, Garrett, Hargett, Hargrove, Jones U, Lewis, Miller, Odom, Scroggs, Shaw, Tidwell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Williams, Windle, Winningham, Wood -- 31.

After further debate, Rep. Davidson moved the previous question, which motion prevailed by the following vote:

Ayes .....	66
Noes .....	26
Present and not voting .....	1

Representatives voting aye were: Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Buck, Bunch, Buttry, Clem, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), Fitzhugh, Ford, Fowlkes, Garrett, Givens, Godsey, Goins, Hagood, Harwell, Head, Hood, Johnson, Jones S, Kent, Langster, Maddox, McCord, McDaniel, McKee, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shepard, Stanley, Tindell, Todd, Turner (Davidson), Vincent, West, Westmoreland, White, Whitson, Williams, Mr. Speaker Naifeh -- 66.

Representatives voting no were: Armstrong, Arriola, Bowers, Brown, Chumney, Cooper, DeBerry J, DeBerry L, Dunn, Ferguson, Fraley, Hargrove, Jones U, Lewis, McDonald, Miller, Odom, Ridgeway, Shaw, Tidwell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Windle, Wood -- 26.

Representatives present and not voting were: Kernell -- 1.

Rep. Maddox moved that **Senate Bill No. 774**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	63
Noes .....	36

Representatives voting aye were: Baird, Black, Bone, Boyer, Briley, Brown, Buck, Bunch, Buttry, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davis (Washington), Davis (Cocke), Fitzhugh, Ford, Fowlkes, Garrett, Givens, Godsey, Goins, Harwell, Head, Hood, Johnson, Jones S, Kent, Kernell, Kisber, Langster, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Overbey, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Shepard, Tindell, Turner (Davidson), West, Westmoreland, White, Whitson, Williams, Winningham, Mr. Speaker Naifeh -- 63.

## **TUESDAY, MAY 29, 2001 – FORTY-FOURTH LEGISLATIVE DAY**

Representatives voting no were: Armstrong, Arriola, Beavers, Bittle, Bowers, Brooks, Caldwell, Clem, Cooper, Davidson, DeBerry J, DeBerry L, Dunn, Ferguson, Fraley, Hagood, Hargett, Hargrove, Jones U, Lewis, Miller, Odom, Patton, Scroggs, Sharp, Shaw, Stanley, Tidwell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Vincent, Walker, Windle, Wood -- 36.

A motion to reconsider was tabled.

**\*House Bill No. 1375** -- Garnishments and Executions - Prohibits garnishment of payments to state contractors and vendors; requires service of judgment on department commissioner and fiscal officer; voids judgments against state if garnished employee or officer not owed wages. Amends TCA Title 26, Chapter 2, Part 2. by \*Kent, \*Boyer, \*Scroggs. (SB1652 by \*Clabough, \*Atchley)

Further consideration of House Bill No. 1375 previously considered on May 24, 2001, at which time it was reset for today's Calendar.

Rep. Scroggs moved that House Bill No. 1375 be reset for the Regular Calendar on May 31, 2001, which motion prevailed.

### **CHAIR TO DEBERRY**

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

### **REGULAR CALENDAR, CONTINUED**

**House Bill No. 1590** -- Hospitals and Health Care Facilities - Gives private act hospital authority same exemption as metropolitan hospital authority has from payment of state taxes or fees and from payment of all county and municipal taxes; includes same requirement to pay county and municipal fees; authority may agree to payment of tax equivalents to creating or participating governing authority or entity. by \*Rinks. (\*SB1624 by \*Clabough)

Rep. Rinks moved that House Bill No. 1590 be reset for the Regular Calendar on May 31, 2001, which motion prevailed.

**House Bill No. 1582** -- Taxes - Imposes tax of \$5.00 on bail bonds; does not create new bail bond because of increase in amount of bond. Amends TCA Title 40, Chapter 11 and Title 67, Chapter 4. by \*Rinks. (\*SB1496 by \*Rochelle)

Rep. Rinks moved that House Bill No. 1582 be reset for the Regular Calendar on July 12, 2001, which motion prevailed.

**TUESDAY, MAY 29, 2001 – FORTY-FOURTH LEGISLATIVE DAY**

**\*Senate Bill No. 83** -- Sunset Laws - Child welfare licensing board of review, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 71, Chapter 3. by \*Harper. (HB926 by \*Kernell, \*Brooks, \*Cooper B)

Further consideration of Senate Bill No. 83 previously considered on May 24, 2001, at which time it was reset for today's Calendar. The bill was also considered on May 21, 2001, at which time the adopted Amendment(s) No(s). 1 and reset the bill for today's Calendar.

Rep. Kernell moved that Senate Bill No. 83, as amended, be passed on third and final consideration.

Rep. Odom moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Kernell moved that **Senate Bill No. 83**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....98  
Noes .....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

**\*House Bill No. 1548** -- Loan Companies and Short Term Lenders - Requires thumbprint of pledgor, if pledgor has thumb, to be made part of pawnshop transaction record in Shelby County; if thumb amputated, then such other fingerprint as required by pawnbroker shall be taken and described on record. Amends TCA Section 45-6-209. by \*Jones U (Shelby), \*DeBerry J, \*Miller L, \*Pleasant, \*Buck. (SB1801 by \*Dixon)

Further consideration of House Bill No. 1548 previously considered on May 17, 2001 and May 24, 2001, at which time it was reset for today's Calendar.

Rep. Buck moved that House Bill No. 1548 be reset for the Regular Calendar on May 31, 2001, which motion prevailed.

**TUESDAY, MAY 29, 2001 – FORTY-FOURTH LEGISLATIVE DAY**

**House Bill No. 1859** -- Highway Signs - Prohibits erection of new highway sign structure in which two or more displays are stacked one above other; stacked signs existing on or before effective date of act not to be deemed non-conforming until such sign's structure is modified, repaired, replaced, or rebuilt; structures with more than one display are allowed if size does not exceed statutory limits. Amends TCA Title 54, Chapter 21. by \*McCord. (\*SB1565 by \*Ramsey)

Further consideration of House Bill No. 1859 previously considered on May 3, 2001, May 10, 2001 and May 24, 2001, at which time it was reset for today's Calendar.

On motion, House Bill No. 1859 was made to conform with **Senate Bill No. 1565**; the Senate Bill was substituted for the House Bill.

Rep. McCord moved that Senate Bill No. 1565 be passed on third and final consideration.

On motion, Rep. Ridgeway withdrew House Transportation Committee Amendment No. 1.

Rep. Ridgeway moved that **Senate Bill No. 1565** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	85
Noes .....	7

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), Dunn, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Harwell, Head, Hood, Johnson, Jones S, Kent, Kernell, Kisber, Langster, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 85.

Representatives voting no were: Fitzhugh, Hargrove, Maddox, Montgomery, Rowland, Sands, Towns -- 7.

A motion to reconsider was tabled.

**House Resolution No. 83** -- Basic Education Program (BEP) - Confirms proposed changes in the basic education program dealing with funding for English as a Second Language (ESL) program. by \*Winningham.

Rep. Winningham moved that **House Resolution No. 83** be adopted, which motion prevailed by the following vote:

Ayes .....	92
Noes .....	0
Present and not voting .....	6

**TUESDAY, MAY 29, 2001 – FORTY-FOURTH LEGISLATIVE DAY**

Representatives voting aye were: Armstrong, Arriola, Baird, Bittle, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

Representatives present and not voting were: Beavers, Black, Clem, Dunn, Sharp, Vincent -- 6.

A motion to reconsider was tabled.

**\*House Bill No. 1909** -- Highway Signs - "William Broady Harrison Memorial Bridge," S.R. 72 in Loudon County. by \*Johnson. (SB1875 by \*Miller J)

Further consideration of House Bill No. 1909 previously considered on May 24, 2001, at which time it was objected to on the Consent Calendar and reset for today's Regular Calendar.

**CHAIR TO SPEAKER**

Mr. Speaker Naifeh resumed the Chair.

**REGULAR CALENDAR, CONTINUED**

On motion, House Bill No. 1909 was made to conform with **Senate Bill No. 1875**; the Senate Bill was substituted for the House Bill.

Rep. Johnson moved that Senate Bill No. 1875 be passed on third and final consideration.

Rep. Newton moved the previous question, which motion prevailed.

Rep. Johnson moved that **Senate Bill No. 1875** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	96
Noes .....	2

## TUESDAY, MAY 29, 2001 – FORTY-FOURTH LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

Representatives voting no were: Brooks, West -- 2.

A motion to reconsider was tabled.

**House Bill No. 1030** -- Taxes, Real Property - Adds counties having 800,000 or more citizens to real and tangible personal property exemption for nonprofit economic or charitable development organization in counties containing or adjacent to counties containing national laboratory facility. Amends TCA Section 67-5-224. by \*Brooks. (\*SB751 by \*Dixon)

Further consideration of House Bill No. 1030 previously considered on May 24, 2001, at which time it was objected to on the Consent Calendar and reset for today's Regular Calendar.

Rep. Brooks moved that House Bill No. 1030 be passed on third and final consideration.

### BILL RE-REFERRED

Rep. Todd moved to re-refer House Bill No. 1030 to the House Finance, Ways and Means Committee, which motion prevailed.

### REGULAR CALENDAR, CONTINUED

**House Bill No. 1749** -- Firearms and Ammunition - Requires TBI to deny attempted purchase of firearm if purchaser is charged with offense that, if convicted, would prohibit person from purchasing firearm and provides procedure whereby TBI is required to reverse such denial. Amends TCA Title 39, Chapter 17, Part 13. by \*Turner (Hamilton). (\*SB1728 by \*Crowe)

Further consideration of House Bill No. 1749 previously considered on today's Calendar.

Rep. Turner (Hamilton) moved that House Bill No. 1749 be reset for the Regular Calendar on May 31, 2001, which motion prevailed.

**Senate Bill No. 871** -- Abuse - Creates pilot in county of over 825,000 population to establish child protective system ; requires department of mental health and developmental disabilities to establish pilot mental health court. Amends TCA Title 9; Title 33 and Title 37. by \*Dixon. (\*HB583 by \*Chumney)

Further consideration of Senate Bill No. 871 previously considered on today's Calendar.

Rep. Chumney moved that **Senate Bill No. 871** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	94
Noes .....	0
Present and not voting .....	4

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

Representatives present and not voting were: Clem, Dunn, Goins, Sargent -- 4.

A motion to reconsider was tabled.

## MESSAGE CALENDAR

### HOUSE ACTION ON SENATE MESSAGE

**House Bill No. 1267** -- Forest and Forest Products - Prohibits clear cutting in Standing Stone State Park. Amends TCA Title 11. by \*Windle. (\*SB281 by \*Davis L, \*Burks, \*Williams)

Further consideration of House Bill No. 1267 previously considered on May 17, 2001, at which time it was reset for today's Message Calendar.

Rep. Windle moved that House Bill No. 1267 be reset for the Message Calendar on May 31, 2001, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

**\*House Bill No. 545** -- Hospitals and Health Care Facilities - Places certain requirements on non-residential methadone treatment facility for certificate of need to be issued by health facilities commission. Amends TCA Section 68-11-106. by \*Pruitt, \*Hargett, \*Langster, \*Chumney. (SB804 by \*Harper)

**Senate Amendment No. 3**

AMEND House Bill No. 545 By deleting Section 3 of the printed bill and by substituting instead the following:

SECTION 3. The provisions of Section 2 of this act shall not apply to any facility that is validly licensed as a non-residential methadone treatment facility as of the effective date of this act, or to the licensee of such a facility.

**Senate Amendment No. 4**

AMEND House Bill No. 545 By deleting Sections 2 and 3 of the printed bill as amended.

AND FURTHER AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. No provision of this act shall affect any teaching or research hospital in activities relating to non-residential methadone treatment programs.

Rep. Pruitt moved that the House concur in Senate Amendment(s) No(s). 3 and 4 to **House Bill No. 545**, which motion prevailed by the following vote:

Ayes .....98  
Noes .....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.



HOUSE ACTION ON SENATE MESSAGE

**House Bill No. 799** -- Commerce and Insurance, Dept. of - Enacts "Charitable Gift Annuities Exemption Act." Amends TCA Title 56, Chapter 52, Part 1. by \*Fitzhugh, \*Hood, \*Maddox. (\*SB932 by \*McNally, \*Herron, \*Williams)

CONFERENCE COMMITTEE REPORT  
ON HOUSE BILL NO. 799

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 799 (Senate Bill No. 932) has met and recommends that the following amendments be deleted:

Senate Amendment No. 2

The Committee further recommends that the following amendment be adopted:

By deleting in Section 1, amendatory Section 56-52-102(c)(1), as amended, and by substituting therefore the following:

(1) Has a minimum of one million dollars (\$1,000,000) in unrestricted cash, cash equivalents, or publicly traded securities, exclusive of assets funding the annuity agreements; provided, however, that a charitable organization affiliated with the University of Tennessee or an institution of the state university and community college system shall have a minimum of three hundred thousand dollars (\$300,000) in unrestricted cash, cash equivalents, or publicly traded securities, exclusive of assets funding the annuity agreement.

Senator Randy McNally  
Senator Roy Herron  
Senator Robert Rochelle

Representative Craig Fitzhugh  
Representative Ronnie Cole  
Representative Doug Overbey

Rep. Fitzhugh moved that the Report of the Conference Committee on **House Bill No. 799** be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes .....95  
Noes.....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Buck, Bunch, Buttry, Caldwell, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

### HOUSE ACTION ON SENATE MESSAGE

**\*House Bill No. 680** -- Anatomical Gifts - Redefines requirements for making, amending, revoking and refusing to make anatomical gifts. Amends TCA Title 68, Chapter 30. by \*Williams (Williamson), \*Garrett. (SB1361 by \*Jackson)

Rep. Williams moved that House Bill No. 680 be reset for the Message Calendar on May 31, 2001, which motion prevailed.

### MOTION TO RECONSIDER

Rep. Caldwell moved to lift from the table the motion to reconsider action in passing Senate Bill No. 92, which motion prevailed.

**\*Senate Bill No. 92** -- Local Government, General - Allows, instead of requires, local governments to set and collect processing fee in amount that is equal to amount paid third-party processor for processing credit card or debit card payment. Amends TCA Section 9-1-108. by \*McNally, \*Davis L. (HB154 by \*Caldwell, \*Armstrong, \*Bunch, \*Hargett, \*Pleasant)

Rep. Caldwell moved to reconsider action in passing Senate Bill No. 92, which motion prevailed.

On motion, the House reconsidered its action in adopting Amendment(s) No(s). 2. On motion, Amendment(s) No(s). 2 was/were withdrawn.

Rep. Caldwell moved that **Senate Bill No. 92** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	97
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Ford, Fowkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**HOUSE ACTION ON SENATE MESSAGE**

**House Bill No. 1155** -- Bail, Bail Bonds - Requires bondsman to verify accuracy of address given by defendant for whom bail has been set; statement that address has been verified prerequisite to bounty hunter taking person into custody who has failed to appear in court; failure or negligence in verifying address results in bondsman and bounty hunter being jointly and severally liable for property damage, injury or death caused to third party by bounty hunter at given address. Amends TCA Title 40, Chapter 11, Part 3. by \*Langster, \*Head, \*Jones U (Shelby). (\*SB221 by \*Dixon)

Rep. Langster moved that House Bill No. 1155 be reset for the Message Calendar on May 31, 2001, which motion prevailed.

**RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Supplemental Consent Calendar for May 29, 2001:

**House Resolution No. 134** -- Memorials, Death - Raymond D. Bradshaw. by \*Johnson.

**House Resolution No. 135** -- Memorials, Academic Achievement - Kimberly Grace Manning, Salutatorian, Tennessee School for the Blind. by \*Roach.

**House Resolution No. 136** -- Memorials, Public Service - Mayor Fred Montgomery. by \*Fitzhugh.

**House Resolution No. 137** -- Memorials, Academic Achievement - David Alvin Norman, Outstanding Student, Rockwood High School. by \*Ferguson.

**House Resolution No. 138** -- Memorials, Academic Achievement - Lonnie Hinkle, Outstanding Student, Roane Career and Technical Center. by \*Ferguson.

**House Resolution No. 139** -- Memorials, Academic Achievement - Brandi Nichole Elliott, 2001 Roane Career and Technical Center Outstanding Student. by \*Ferguson.

**House Joint Resolution No. 496** -- Memorials, Interns - Jackson Wade Jenkins. by \*Hargrove.

**House Joint Resolution No. 497** -- Memorials, Death - Alcoa City Commissioner Ralph Kidd. by \*McCord.

**House Joint Resolution No. 498** -- Memorials, Academic Achievement - Justin King, Salutatorian, Haywood High School. by \*Fitzhugh.

**House Joint Resolution No. 499** -- Memorials, Academic Achievement - Chaka Morton, Valedictorian, Haywood High School. by \*Fitzhugh.

**House Joint Resolution No. 500** -- Memorials, Academic Achievement - Issac Sorrell, Valedictorian, Ripley High School. by \*Fitzhugh.

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**House Joint Resolution No. 501** -- Memorials, Academic Achievement - Angela Tims, Salutatorian, Ripley High School. by \*Fitzhugh.

**House Joint Resolution No. 502** -- Memorials, Academic Achievement - Leah Simpson, Valedictorian, Halls High School. by \*Fitzhugh.

**House Joint Resolution No. 503** -- Memorials, Academic Achievement - Jami Nolen, Salutatorian, Halls High School. by \*Fitzhugh.

**House Joint Resolution No. 504** -- Memorials, Recognition - New Monumental Baptist Church. by \*DeBerry L.

**House Joint Resolution No. 505** -- Memorials, Academic Achievement - Caroline Collins, Valedictorian, Anderson County High School. by \*Baird.

**House Joint Resolution No. 506** -- Memorials, Academic Achievement - Sara Lindsay Jones, Valedictorian, Anderson County High School. by \*Baird.

**House Joint Resolution No. 507** -- Memorials, Academic Achievement - Sara Campbell, Valedictorian, Anderson County High School. by \*Baird.

**House Joint Resolution No. 508** -- Memorials, Academic Achievement - Amanda Crawford, Valedictorian, Anderson County High School. by \*Baird.

**House Joint Resolution No. 509** -- Memorials, Academic Achievement - Josie Hahn, Valedictorian, Anderson County High School. by \*Baird.

**House Joint Resolution No. 510** -- Memorials, Academic Achievement - Rebecca Lowe, Valedictorian, Anderson County High School. by \*Baird.

**House Joint Resolution No. 511** -- Memorials, Academic Achievement - Alina Mullikin, Valedictorian, Anderson County High School. by \*Baird.

**House Joint Resolution No. 512** -- Memorials, Academic Achievement - Kacy Slone, Valedictorian, Anderson County High School. by \*Baird.

**House Joint Resolution No. 513** -- Memorials, Academic Achievement - Marleah Thompson, Valedictorian, Anderson County High School. by \*Baird.

**House Joint Resolution No. 514** -- Memorials, Recognition - John Lee Hawkes. by \*Bone.

**House Joint Resolution No. 515** -- Memorials, Academic Achievement - Lindy Brooke Turner, graduation from Bay High School. by \*Turner (Hamilton).

**House Joint Resolution No. 516** -- Memorials, Recognition - Whitland Area Neighborhood. by \*West, \*Phillips.

**House Joint Resolution No. 517** -- Memorials, Recognition - Charles L. Harrison. by \*Kisber.

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**House Joint Resolution No. 518** -- Memorials, Recognition - Kingsport Board of Mayor and Alderman and Sullivan County Board of County Commissioners. by \*Westmoreland.

**House Joint Resolution No. 519** -- Memorials, Recognition - Mrs. Betty Carey, Loudon County First Lady 2001. by \*Overbey, \*Johnson.

**House Joint Resolution No. 520** -- Memorials, Professional Achievement - Mr. James Ratledge, Tennessee's 2001 National Distinguished Principal. by \*Overbey, \*McCord.

**House Joint Resolution No. 521** -- Memorials, Recognition - Charles A. Leach III. by \*Turner (Shelby).

### **UNFINISHED BUSINESS**

#### **SUPPLEMENTAL CONSENT CALENDAR**

**House Resolution No. 134** -- Memorials, Death - Raymond D. Bradshaw. by \*Johnson.

**House Resolution No. 135** -- Memorials, Academic Achievement - Kimberly Grace Manning, Salutatorian, Tennessee School for the Blind. by \*Roach.

**House Resolution No. 136** -- Memorials, Public Service - Mayor Fred Montgomery. by \*Fitzhugh.

**House Resolution No. 137** -- Memorials, Academic Achievement - David Alvin Norman, Outstanding Student, Rockwood High School. by \*Ferguson.

**House Resolution No. 138** -- Memorials, Academic Achievement - Lonnie Hinkle, Outstanding Student, Roane Career and Technical Center. by \*Ferguson.

**House Resolution No. 139** -- Memorials, Academic Achievement - Brandi Nichole Elliott, 2001 Roane Career and Technical Center Outstanding Student. by \*Ferguson.

**House Joint Resolution No. 496** -- Memorials, Interns - Jackson Wade Jenkins. by \*Hargrove.

**House Joint Resolution No. 497** -- Memorials, Death - Alcoa City Commissioner Ralph Kidd. by \*McCord.

**House Joint Resolution No. 498** -- Memorials, Academic Achievement - Justin King, Salutatorian, Haywood High School. by \*Fitzhugh.

**House Joint Resolution No. 499** -- Memorials, Academic Achievement - Chaka Morton, Valedictorian, Haywood High School. by \*Fitzhugh.

**House Joint Resolution No. 500** -- Memorials, Academic Achievement - Issac Sorrell, Valedictorian, Ripley High School. by \*Fitzhugh.

**TUESDAY, MAY 29, 2001 – FORTY-FOURTH LEGISLATIVE DAY**

**House Joint Resolution No. 501** -- Memorials, Academic Achievement - Angela Tims, Salutatorian, Ripley High School. by \*Fitzhugh.

**House Joint Resolution No. 502** -- Memorials, Academic Achievement - Leah Simpson, Valedictorian, Halls High School. by \*Fitzhugh.

**House Joint Resolution No. 503** -- Memorials, Academic Achievement - Jami Nolen, Salutatorian, Halls High School. by \*Fitzhugh.

**House Joint Resolution No. 504** -- Memorials, Recognition - New Monumental Baptist Church. by \*DeBerry L.

**House Joint Resolution No. 505** -- Memorials, Academic Achievement - Caroline Collins, Valedictorian, Anderson County High School. by \*Baird.

**House Joint Resolution No. 506** -- Memorials, Academic Achievement - Sara Lindsay Jones, Valedictorian, Anderson County High School. by \*Baird.

**House Joint Resolution No. 507** -- Memorials, Academic Achievement - Sara Campbell, Valedictorian, Anderson County High School. by \*Baird.

**House Joint Resolution No. 508** -- Memorials, Academic Achievement - Amanda Crawford, Valedictorian, Anderson County High School. by \*Baird.

**House Joint Resolution No. 509** -- Memorials, Academic Achievement - Josie Hahn, Valedictorian, Anderson County High School. by \*Baird.

**House Joint Resolution No. 510** -- Memorials, Academic Achievement - Rebecca Lowe, Valedictorian, Anderson County High School. by \*Baird.

**House Joint Resolution No. 511** -- Memorials, Academic Achievement - Alina Mullikin, Valedictorian, Anderson County High School. by \*Baird.

**House Joint Resolution No. 512** -- Memorials, Academic Achievement - Kacy Slone, Valedictorian, Anderson County High School. by \*Baird.

**House Joint Resolution No. 513** -- Memorials, Academic Achievement - Marleah Thompson, Valedictorian, Anderson County High School. by \*Baird.

**House Joint Resolution No. 514** -- Memorials, Recognition - John Lee Hawkes. by \*Bone.

**House Joint Resolution No. 515** -- Memorials, Academic Achievement - Lindy Brooke Turner, graduation from Bay High School. by \*Turner (Hamilton).

**House Joint Resolution No. 516** -- Memorials, Recognition - Whitland Area Neighborhood. by \*West, \*Phillips.

**House Joint Resolution No. 517** -- Memorials, Recognition - Charles L. Harrison. by \*Kisber.

**TUESDAY, MAY 29, 2001 – FORTY-FOURTH LEGISLATIVE DAY**

**House Joint Resolution No. 518** -- Memorials, Recognition - Kingsport Board of Mayor and Alderman and Sullivan County Board of County Commissioners. by \*Westmoreland.

**House Joint Resolution No. 519** -- Memorials, Recognition - Mrs. Betty Carey, Loudon County First Lady 2001. by \*Overbey, \*Johnson.

**House Joint Resolution No. 520** -- Memorials, Professional Achievement - Mr. James Ratledge, Tennessee's 2001 National Distinguished Principal. by \*Overbey, \*McCord.

**House Joint Resolution No. 521** -- Memorials, Recognition - Charles A. Leach III. by \*Turner (Shelby).

Rep. Westmoreland moved that all members voting aye on House Joint Resolution No 518 be added as sponsors, which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Miller moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Supplemental Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Supplemental Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes .....99  
Noes .....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. McDonald moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 384 out of order, which motion prevailed.

**Senate Joint Resolution No. 384** -- Memorials, Recognition - John Baker Garrott, Sr. by \*Graves.

On motion of Rep. McDonald, the resolution was concurred in.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Scroggs moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 378 out of order, which motion prevailed.

**Senate Joint Resolution No. 378** -- Memorials, Recognition - Thomas N. Southard. by \*Person.

On motion of Rep. Scroggs, the resolution was concurred in.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Turner (Hamilton) moved that the rules be suspended to allow all members voting aye on **House Joint Resolution No. 515** on the Supplemental Consent Calendar to be added as sponsors, which motion prevailed.

**UNFINISHED BUSINESS**

**MOTION TO RESET BILLS**

On motion of Rep. Davidson, all bills reset for a Calendar on Wednesday, May 30, 2001 be reset for the Calendars on Thursday, May 31, 2001, which motion prevailed.

**MESSAGE FROM THE SENATE**

**May 29, 2001**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 248; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 29, 2001**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 743, 2005, 2014 and 2015; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.



**MESSAGE FROM THE SENATE**

**May 29, 2001**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 524; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**ENGROSSED BILLS**

**May 29, 2001**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 895, 1987, also, House Joint Resolution(s) No(s). 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 494 and 495.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**May 29, 2001**

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 667.

The Senate lifted the tabling motion, reconsidered passage of the bill, adopted Amendment No. 4, then repassed the bill on third and final consideration, as amended.

RUSSELL A. HUMPHREY, Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 29, 2001**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 409, 655 and 895; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 29, 2001**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 433, 435, 436, 437, 438, 439, 440, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472 and 473; all concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**MESSAGE FROM THE SENATE**  
**May 29, 2001**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 733, 992, 1002, 1318, 1804, 1988 and 1989; all passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**\*Senate Bill No. 733** -- Education - Limits age ranges of instructional groups to range not to exceed 36 months for special education purposes; requires state board of education to set class size standards and case load standards for instructional personnel; severity of disability shall be weighing factor. Amends TCA Section 49-6-3110 and Section 49-1-104. by \*Graves. (HB1599 by \*McDonald, \*Davis (Cocke), \*Sands, \*Shepard, \*Shaw, \*Hood, \*Towns, \*Winningham)

**\*Senate Bill No. 992** -- Victims' Rights - Qualifies bar against present claim under victim compensation act that injury occurred while victim was willing passenger in vehicle driven by intoxicated driver to require that victim must know that driver was intoxicated. Amends TCA Title 29, Chapter 13, Part 1. by \*Henry. (HB900 by \*Buck)

**\*Senate Bill No. 1002** -- Mental Illness - Redefines "state employee" to add employer of community-based screening agencies for purposes of mental health law in defense counsel statute. Amends TCA Title 8; Title 9 and Title 33. by \*Crowe. (HB1205 by \*Westmoreland, \*Patton)

**\*Senate Bill No. 1318** -- Foster Care - Revises department of children's services annual report requirements. Amends TCA Title 36 and Title 37. by \*Graves. (HB1719 by \*DeBerry L)

**Senate Bill No. 1804** -- Tennessee Regulatory Authority - Directs TRA to develop program to increase access to educational technology by underserved school-age children. Amends TCA Title 65. by \*Dixon, \*Burks. (\*HB1286 by \*Armstrong, \*Tindell)

**Senate Bill No. 1988** -- Fayette County - Subject to local approval, authorizes imposition of adequate facilities tax. by \*Wilder. (HB2024 by \*Fitzhugh, \*Naifeh)

**\*Senate Bill No. 1989** -- Fayette County - Authorizes levy of fire protection fee in lieu of fire tax authorized pursuant to Section 5-17-106. Amends TCA Title 5, Chapter 17, Part 1. by \*Wilder. (HB2023 by \*Fitzhugh, \*Naifeh)

**MESSAGE FROM THE SENATE**  
**May 29, 2001**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 310 and 1038; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**CONSENT CALENDAR**

**May 29, 2001**

The following local bills have been placed on the Consent Calendar for **May 31, 2001**:  
House Bill(s) No(s). 2002.

**ROLL CALL**

The roll call was taken with the following results:

Present .....98

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

**RECESS MOTION**

On motion of Rep. Davidson, the House stood in recess until 9:00 a.m., Thursday, May 31, 2001.